

UNITED STATES COURT OF APPEALS

FOR THE FIFTH CIRCUIT

United States Court of Appeals
Fifth Circuit

FILED

February 5, 2014

Lyle W. Cayce
Clerk

No. 13-20419
Summary Calendar

D.C. Docket No. 4:13-CV-970

CHRISTOPHER ALEXANDER GLOVER,

MAR 12 2014

Plaintiff - Appellant

David J. Bradley, Clerk of Court

v.

ROY JORGENSEN ASSOCIATES, INCORPORATED,

Defendant - Appellee

Appeal from the United States District Court for the
Southern District of Texas, Houston

Before REAVLEY, JONES, and PRADO, Circuit Judges.

J U D G M E N T

This cause was considered on the record on appeal and the briefs on file.

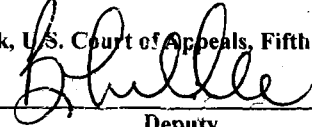
It is ordered and adjudged that the judgment of the District Court is affirmed as modified.

IT IS FURTHER ORDERED that plaintiff-appellant pay to defendant-appellee the costs on appeal to be taxed by the Clerk of this Court.

ISSUED AS MANDATE:

A True Copy
Attest

Clerk, U.S. Court of Appeals, Fifth Circuit

By: 
Deputy

New Orleans, Louisiana

27 FEB 2014

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PER CURIAM:*

The complaint was filed on April 4, 2013. The district court set a conference for July 1, 2013. On that date plaintiff appeared but had not served the defendant. After responding to the court's questions, counsel agreed to dismissal of the case. No error is shown.

The judgment is affirmed, modified to be without prejudice.

AFFIRMED AS MODIFIED.

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.